

Message Text

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DRAFTED BY: L/ARA:DAGANTZ

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FM SECSTATE WASHDC

TO AMEMBASSY BUENOS AIRES NIACT IMMEDIATE

C O N F I D E N T I A L STATE 269202

LIMDIS

E.O. 11652: GDS

TAGS: CASC, AR (TALAMANTE, OLGA)

SUBJECT: OLGA TALAMANTE

REF: BUENOS AIRES 8872

1. GIVEN INFORMATION CONTAINED REFTEL WE BELIEVE IT
ADVISABLE THAT EMBASSY GO ON RECORD INDICATING USG'S
CONCERN FOR MS. TALAMANTE'S WELL-BEING AND REQUESTING
MORE COMPLETE INFORMATION WITH RESPECT TO ALLEGATIONS
OF TORTURE. APPROPRIATELY WORDED DIPLOMATIC NOTE
SHOULD MAKE FOLLOWING POINTS: (A) WE APPRECIATE GOA'S
PROMPT RESPONSE TO OUR REQUEST FOR ACCESS TO MS.
TALAMANTE AND COOPERATION OF JUDGE HANDLING CASE; (B)
WE REMAIN CONCERNED, HOWEVER, ABOUT HER ALLEGATIONS
WITH RESPECT TO ABUSES DURING THE FIRST FEW DAYS OF
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HER INCARCERATION, INCLUDING TORTURE, AND REQUEST THE

GOA TO MAKE A COMPLETE INVESTIGATION WHICH WILL ESTABLISH ALL FACTS REGARDING ARREST AND TREATMENT; (C) SUBJECT TO MS. TALAMANTE'S CONSENT, WE WOULD APPRECIATE OPPORTUNITY TO HAVE COMPETENT AND TRUSTWORTHY DOCTOR EXAMINE HER AND DISCUSS TREATMENT ACCORDED HER; (D) WE ASSUME THAT MS. TALAMANTE WILL BE GIVEN FULL OPPORTUNITY TO OBTAIN LEGAL REPRESENTATION OF HER CHOICE AND WE ARE PREPARED TO ASSIST HER IN LOCATING AN ATTORNEY IF SHE SO DESIRES. PLEASE NOTIFY WHEN NOTE DELIVERED.

2. IT IS NOT CLEAR FROM PARA 1 REFTEL WHETHER GOA AUTHORITIES HAD COMPLIED WITH THEIR OBLIGATIONS UNDER

ARTICLE 36 (1) (B) OF THE VIENNA CONVENTION ON CONSULAR RELATIONS TO INFORM MS. TALAMANTE "WITHOUT DELAY" OF HER RIGHTS CONCERNING NOTIFICATION OF THE CONSULATE OF HER ARREST AND INCARCERATION. IF EMBASSY IS NOT AWARE THAT SHE WAS SO INFORMED, NOTE SHOULD ALSO REFER TO THIS NOTIFICATION REQUIREMENT.

3. FYI. WITH RESPECT TO QUESTION OF ATTORNEY, IT MAY WELL BE THAT TALAMANTE'S INTEREST AND THOSE OF OTHER DEFENDANTS MAY DIVERGE AND THAT SHE MIGHT BENEFIT TO HAVE HER OWN LAWYER. THIS OBVIOUSLY IS A DECISION WHICH ONLY SHE CAN MAKE. END FYI.

4. DEPT HAS RECEIVED NUMEROUS CONGRESSIONAL AND PRESS INQUIRIES ON THIS MATTER AND IS PROVIDING FACTUAL RESPONSES ON AN "IF ASKED" BASIS. GUIDANCE USED BEING SENT SEPTEL. WE HAVE ALSO COMMUNICATED ESSENTIAL FACTS TO TALAMANTE'S PARENTS THROUGH INTERMEDIARIES IN CALIFORNIA AND PLAN TO KEEP THEM ADVISED OF ALL DEVELOPMENTS. PLEASE INFORM US PROMPTLY OF ANY NEW DEVELOPMENTS INCLUDING PRESS HANDLING OF CASE AT YOUR END.

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